

Notice of Allowability

Application No.

10/798,605

Examiner

George L. Walton

Applicant(s)

SCHUSTER, MICHAEL J.

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview summary and the examiner's amendment.
2. ☒ The allowed claim(s) is/are 1,2,4-12 and 14-18.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 3/11/2004.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>7/16/04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael J. D'Aurelio on July 16 and 26, 2004. **Applicant hereby authorizes the Examiner to charge a total of \$172.00 to Deposit Account 50-2425 for the fees due in conjunction with the entry of above amendments as an Examiner's amendment. Please note that Applicant is a small entity.**

Note that formal drawings are required. See page 2 of the patent application transmittal sheet that indicates informal drawings provided.

The application has been amended as follows:

Amendments to the Specification

[0037] Referring next to FIGS. 8A through 8C, shown is a valve lock according to another embodiment of the present invention. With reference to FIGS. 8A and 8B, shown is an upper portion of a toilet fill valve 100 that includes a valve lock 119b. The valve lock 119b is a pivoting stand with one end that is pivotally attached to a body of the toilet fill valve 100 as shown. As depicted in FIG. 8A, the valve lock 119b is in the unlock position, thereby allowing the actuating arm 116 to move from a first position 133 in which the toilet fill valve 100 is in a closed state, to a second position 146 in which the toilet fill valve 100

Art Unit: 3753

is in an open state as discussed above. The valve lock 119b may be moved or pivoted from the unlock position to a lock position as depicted with respect to FIG. 8B. In this respect, a free end of the valve lock 119 rests in a divot against an underside of the actuating arm 116 when the valve lock 119b is in the lock position as shown. In this respect, the actuating arm 116 is thus fixed in the first position, thereby maintaining the toilet fill valve 100 in a closed state. The operation of the valve lock 119b is similar to the operation of the valve lock 119a described above.

Amendments to the Claims

1. (Currently Amended) A lockable toilet fill valve, comprising:
 - a toilet fill valve with an actuating arm;
 - the toilet fill valve being closed when the actuating arm is disposed in a first position;
 - the toilet fill valve being open when the actuating arm is disposed in a second position;
 - a valve lock associated with the actuating arm and a portion of the toilet fill valve, the valve lock includes an unlock position and a lock position, wherein the valve lock fixes the actuating arm in the first position and engages both the actuating arm and the portion of the toilet fill valve when the valve lock is in the lock position; and
 - the valve lock being configured to be moved manually from the lock position to the unlock position independent of a flush operation of a toilet, wherein the valve lock is out of engagement with at least one of the portion of the toilet fill valve and the actuating arm in the unlock position.
2. (Currently Amended) A The lockable toilet fill valve, comprising: of claim 1,
 - a toilet fill valve with an actuating arm;

Art Unit: 3753

the toilet fill valve being closed when the actuating arm is disposed in a first position;

the toilet fill valve being open when the actuating arm is disposed in a second position; and

a valve lock associated with the actuating arm, the valve lock including an unlock position and a lock position, wherein the valve lock fixes the actuating arm in the first position when the valve lock is in the lock position, and wherein the valve lock is connected to the actuating arm, the valve lock sliding along the actuating arm from the unlock position to the lock position, and the valve lock engaging a portion of the toilet fill valve and the actuating arm when in the lock position.

3. (Canceled)

4. (Currently Amended) A The lockable toilet fill valve, comprising: of claim 3,

a toilet fill valve with an actuating arm;

the toilet fill valve being closed when the actuating arm is disposed in a first position;

the toilet fill valve being open when the actuating arm is disposed in a second position;

a valve lock associated with the actuating arm, the valve lock including an unlock position and a lock position, wherein the valve lock fixes the actuating arm in the first position when the valve lock is in the lock position; and

the valve lock further comprising a wherein the pivoting stand is pivotally coupled to the actuating arm and the valve lock engaging a portion of the toilet fill valve and the actuating arm when in the lock position.

5. The lockable toilet fill valve of claim 4, wherein the portion of the toilet fill valve further comprises comprising a shelf extending from a body of the

Art Unit: 3753

toilet fill valve, ~~wherein a free end of the pivoting stand rests against the shelf when the pivoting stand is in the lock position.~~

6. (Currently Amended) The lockable toilet fill valve of claim 13, wherein the valve lock further comprises ~~wherein the~~ a pivoting stand is pivotally coupled to a body portion of the toilet fill valve.

7. (Currently Amended) A The lockable toilet fill valve, comprising: of claim ~~6~~,

a toilet fill valve with an actuating arm;

the toilet fill valve being closed when the actuating arm is disposed in a first position;

the toilet fill valve being open when the actuating arm is disposed in a second position;

a valve lock associated with the actuating arm, the valve lock including an unlock position and a lock position, wherein the valve lock fixes the actuating arm in the first position when the valve lock is in the lock position; and

the valve lock further comprising a pivoting stand pivotally coupled to a body portion of the toilet fill valve, wherein a free end of the pivoting stand rests against the actuating arm in a divot on the actuating arm when the pivoting stand is in the lock position.

8. (Original) The lockable toilet fill valve of claim 1, further comprising a float operatively coupled to a free end of the actuating arm.

9. (Original) The lockable toilet fill valve of claim 1, further comprising:
a retaining lip on the valve lock; and
a rim at a top of the toilet fill valve, wherein the retaining lip of the valve lock engages the rim when the valve lock is in the lock position.

Art Unit: 3753

10. (Currently Amended) A The lockable toilet fill valve, comprising: of claim 1,

a toilet fill valve with an actuating arm;

the toilet fill valve being closed when the actuating arm is disposed in a first position;

the toilet fill valve being open when the actuating arm is disposed in a second position;

a valve lock associated with the actuating arm, the valve lock includes an unlock position and a lock position, wherein the valve lock fixes the actuating arm in the first position when the valve lock is in the lock position; and

a cap over a top of the toilet fill valve, the cap having an opening through which the actuating arm extends, wherein at least a portion of the valve lock extends through the opening when in the lock position.

11. (Original) The lockable toilet fill valve of claim 1, wherein:

the valve lock includes a retaining clip; and

the actuating arm includes a retaining structure that is compatible with the retaining clip, the retaining clip engaging the retaining structure to hold the valve lock in the unlock position on the actuating arm.

12. (Currently Amended) A The lockable toilet fill valve, comprising: of claim 1,

a toilet fill valve with an actuating arm;

the toilet fill valve being closed when the actuating arm is disposed in a first position;

the toilet fill valve being open when the actuating arm is disposed in a second position;

a valve lock associated with the actuating arm, the valve lock includes an unlock position and a lock position, wherein the valve lock fixes the actuating arm in the first position when the valve lock is in the lock position;

wherein: the valve lock includes a retaining structure; and
the actuating arm includes a retaining protrusion, the retaining protrusion presents a slide resistance to the movement of the valve lock along the actuating arm, thereby holding the valve lock in the unlock position on the actuating arm.

13. (Cancel)

14. (Currently Amended) A method for establishing a water pressure at an inlet of a toilet fill valve in a toilet tank of a toilet, the toilet fill valve including that includes an actuating arm with a valve lock, the valve lock moving from an unlock position and a lock position, the method comprising the steps of:

moving the valve lock into the lock position independent of a flush operation of the toilet while the actuating arm is in a first position, thereby fixing the actuating arm in the first position, where the toilet fill valve is closed when the actuating arm is in the first position and the valve lock engages both a portion of the toilet fill valve and the actuating arm when in the lock position;

establishing the water pressure at the inlet of the toilet fill valve while the valve lock is in the lock position; and

moving the valve lock into the unlock position independent of a flush operation of the toilet after the water pressure has been established at the inlet of the toilet fill valve, wherein the valve lock is out of engagement with at least one of the portion of the toilet fill valve and the actuating arm in the unlock position.

15. (Currently Amended) A method for locking a toilet fill valve for the performance of maintenance to a component in a toilet tank of a toilet, wherein the toilet fill valve includes an actuating arm and a valve lock, the valve lock having an unlock position and a lock position, the method comprising the steps of:

Art Unit: 3753

positioning the actuating arm in a first position, where the toilet fill valve is closed when the actuating arm is in the first position;

placing the valve lock into the lock position independent of a flush operation of the toilet, thereby fixing the actuating arm in the first position, wherein the valve lock engages both a portion of the toilet fill valve and the actuating arm in the lock position;

draining the toilet tank to perform maintenance on the component in the toilet tank; and

moving the valve lock from the lock position to the unlock position independent of a flush operation of the toilet when the maintenance is finished, thereby allowing the toilet fill valve to open and refill the toilet tank with an amount of water, wherein the valve lock is out of engagement with at least one of the portion of the toilet fill valve and the actuating arm in the unlock position.

16. (New) The lockable toilet fill valve of claim 1, wherein the valve lock is configured to slide along the actuating arm from the unlock position to the lock position.

17. (New) The lockable toilet fill valve of claim 2, further comprising:
a retaining lip on the valve lock; and
wherein the portion of the toilet fill valve further comprises a rim at a top of the toilet fill valve and the valve lock engages the rim.

18. (New) The lockable toilet fill valve of claim 17, wherein the valve lock further comprises a retaining lip that butts up against the rim when the valve lock is in the lock position.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to George L. Walton whose telephone number is

Art Unit: 3753

703-308-2596. The examiner can normally be reached on M-F, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel can be reached on 703-308-1272. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


George L. Walton
Primary Examiner
Art Unit 3753

GLW